

compositions; crosslinking agents; adhesion promoters; plasticizers; catalysts; inhibitors; or colorants.

### **REMARKS**

Entry of the foregoing, reexamination and reconsideration of the subject application are respectfully requested in light of the amendments above and the comments which follow.

As correctly noted in the Office Action Summary, claims 1-21 were pending. By the present response, claim 14 has been amended. Thus, upon entry of the present response, claims 1-21 are pending and await further consideration on the merits.

Support for the above-identified claim amendments can be found at least at the following locations of the original disclosure: claims 1-10 as originally filed; and page 8, lines 12-24.

Entry of the foregoing is appropriate pursuant to 37 C.F.R. §1.116 since the above amendment to claim 14 reduces the number of issues on appeal and does not serve to raise any new substantive issues.

### ***CLAIM REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH***

Claims 14 and 15 stand rejected under 35 U.S.C. §112, second paragraph on the grounds set forth in paragraph 4 of the Official Action.

By the present response, applicants have amended claim 14 in a manner which is believed to address the above-noted rejection of claim 14. Thus, reconsideration and withdrawal of these rejections is respectfully requested.

With regard to claim 15, this rejection is respectfully traversed. In paragraph 4 it is alleged that reference to "hydroalkenyl" group lacks antecedent basis. This assertion is incorrect. Claim 15 is reproduced in its entirety below:

15. The composition of claim 1, wherein the polyorganosiloxane composition D is in the form of a silicone elastomer comprising crosslinked alkenylsilyl group-carrying and hydroalkenyl group-carrying constituents.

As evident from the above claim language, reference is made, for the first time to the hydroalkenyl group as a constituent of the polyorganosiloxane composition D. The above claim language clearly does not include any reference to "the" or "said" hydroalkenyl group-carrying constituents. Therefore the grounds of rejection are not understood, and believed to be misplaced.

***CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)***

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as being obvious over *Takita et al.* on the grounds set forth in paragraph 2 of the Official Action. This rejection is respectfully traversed.

*Takita et al.* fails to disclose, or even suggest, the subject matter of claims 1-21 for at least the same reasons noted in the previous response filed July 13, 2001. The remarks contained therein are incorporated by reference.

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as being obvious over *JP'644* in view of *Matsushita* on the grounds set forth in paragraph 3 of the Official Action. This rejection is respectfully traversed.

As explained in the response filed July 13, 2001, *Matsushita* is also directed to self-extinguishing silicone rubber compositions but explicitly teaches away from the composition disclosed in *JP '644* and recited by the claimed invention:

. . . and Japanese Laid-Open Publication No. 50-97644 discloses  $(\text{FeO})_x(\text{Fe}_2\text{O}_3)_y$  (where the ratio between small x and small y is in the range 0.05 to 1.0) . . . The product obtained by adding a platinum compound and  $(\text{FeO})_x(\text{Fe}_2\text{O}_3)_y$  is disadvantageous in that if the amount of  $(\text{FeO})_x(\text{Fe}_2\text{O}_3)_y$  is not large, the resulting self-extinguishing properties will be unsatisfactory, whereas if the amount of  $(\text{FeO})_x(\text{Fe}_2\text{O}_3)_y$  is increased, the mechanical properties of the resulting property silicone elastomer will be deteriorated. (column 1, lines 27-30 and 46-52)

*Matsushita* expressly teaches substitution of a particular iron oxide for the above-mentioned mixed iron oxide. More specifically, *Matsushita* clearly and explicitly teaches that the composition described therein must include  $\gamma$ -type iron oxide instead of the  $(\text{FeO})_x(\text{Fe}_2\text{O}_3)_y$  (column 3, lines 16-40).

Thus, if the teachings of *Matsushita* were objectively applied by one of ordinary skill in the art to *JP '644* it is clear that the  $\gamma$ -type iron oxide additive would have been substituted for the  $(\text{FeO})_x(\text{Fe}_2\text{O}_3)_y$  additive described in *JP '644*. However, substitution of the  $\gamma$ -type iron oxide additive would not have resulted in the presently claimed invention as defined, for example, in amended claim 1. As already acknowledged by the Examiner, the

$\gamma$ -type iron oxide additive taught by *Matsushita* does not satisfy the recited iron oxide additive of claim 1.

For at least the reasons noted above, and in the response filed July 13, 2001, reconsideration and withdrawal of the rejection is respectfully requested.

**CONCLUSION**

From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

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**Marked-up Claim 14**

14. (Amended) The method of claim 2, wherein the polyorganosiloxane composition D further comprises one or more compounds comprising: reinforcing, semi-reinforcing, or bulking fillers; fillers serving to modify the rheology of the curable compositions; crosslinking agents; adhesion promoters; plasticizers; catalysts; inhibitors; [and] or colorants.